

Commission on Law Enforcement Accountability, Community and Transparency

Meeting Minutes for August 26, 2020

Meeting held via videoconference at the Attorney General's Office in Concord, NH.

Deputy Attorney General Jane Young called the meeting to order at 9:33 a.m. and reminded participants that the meeting was being recorded.

Members were then asked to introduce themselves and state their present location for the record.

Deputy Attorney General Jane Young - from the Department of Justice with Kim Schmidt, Annie Gagne, and Nicole Clay

Robert Quinn, DOS Commissioner - Concord, NH

Ahni Malachi, Executive Director, NH Commission for Human Rights – Penacook, NH

John Scippa, Director of Police Standards and Training Council – Exeter, NH

Rogers Johnson, Chair of the Governor's Advisory Council on Diversity and Inclusion – Stratham, NH

James McKim, President of NH NAACP - Goffstown, NH

Sawako Gardner, Justice of the NH Circuit Court – Dover, NH (joined at 9:42 a.m.)

Mark Morrison, New Hampshire Police Association – Londonderry PD

Charlie Dennis, NH Chief Association – Hanover, NH

Ken Norton, Executive Director of NAMI – Tilton, NH

Joseph Lascaze, NH ACLU representative – Bedford, NH

Julian Jefferson, Criminal Defense Representative – Manchester, NH

Ronelle Tshiela, public member and BLM organizer – Durham, NH

Eddie Edwards, public member – Washington D.C.

The Deputy Attorney General requested the approval of the August 20th, 2020 minutes. A motion to approve the minutes was made by Chief Dennis and seconded by Director Malachi. A roll call vote was taken and the votes were recorded as follows:

Deputy Attorney General Jane Young –Y

Commissioner Robert Quinn – Y

Director Ahni Malachi – Y

Director John Scippa – Y

Chairman Rogers Johnson – Y

President James McKim – Y

Justice Sawako Gardner – absent

Lt. Mark Morrison – Y

Chief Charlie Dennis – Y

Director Ken Norton – Y
Mr. Joseph Lascaze – absent
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – Y

August 20th, 2020 minutes are approved.

The Deputy Attorney General requested the approval of the August 25th, 2020 minutes. A motion to approve the minutes was made by Eddie Edwards and seconded by Director Scippa. A roll call vote was taken and the votes were recorded as follows:

Deputy Attorney General Jane Young –Y
Commissioner Robert Quinn – Y
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – Y
President James McKim – Y
Justice Sawako Gardner – absent
Lt. Mark Morrison – Y
Chief Charlie Dennis – Y
Director Ken Norton – Y
Mr. Joseph Lascaze – absent
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – Y

August 25th, 2020 minutes are approved.

The Deputy Attorney General noted edits/additions to the narrative and Recommendation 1-i. Attorney Jefferson additionally suggested the addition of “committee of” in front of hearing panel under Recommendation 1-c. A roll call vote was taken on the three additions and the votes were recorded as follows:

Deputy Attorney General Jane Young –Y
Commissioner Robert Quinn – Y
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – Y
President James McKim – Y
Justice Sawako Gardner – Y
Lt. Mark Morrison – Y
Chief Charlie Dennis – Y

Director Ken Norton – Y
Mr. Joseph Lascaze – absent
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – Y

Changes are adopted.

Commission members picked up their discussions about recommendations regarding the Police Misconduct section. Please refer to the meeting video and transcript for specific details.

Chief Dennis noted for the record that he would like to change his vote on Recommendation 1, Subsections A through K from an abstention to yes.

Refer to Section 3, Recommendation 1, Subsection L.

Eddie Edwards moved to strike Recommendation 5 in favor of the addition of Subsection L to Recommendation 1. Ken Norton seconded the motion. A roll call vote was taken on the recommendation and the votes were recorded as follows:

Deputy Attorney General Jane Young – Y
Commissioner Robert Quinn – Y
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – Y
President James McKim – Y
Justice Sawako Gardner – Y
Lt. Mark Morrison – Y
Chief Charlie Dennis – Y
Director Ken Norton – Y
Mr. Joseph Lascaze – Y
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – Y

Motion carries, Recommendation 1, Subsection L adopted.

Refer to Section 3, Recommendation 5.

Joseph Lascaze made the motion to adopt Recommendation 5 as written, seconded by Director Malachi. A roll call vote was taken on the recommendation and the votes were recorded as follows:

Deputy Attorney General Jane Young – Y
Commissioner Robert Quinn – absent
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – N
President James McKim – Y
Justice Sawako Gardner – abstain
Lt. Mark Morrison – N
Chief Charlie Dennis – absent
Director Ken Norton – Y
Mr. Joseph Lascaze – Y
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – Y

Motion carries, Recommendation 5 adopted.

Refer to Section 3, Recommendation 6 (creation of a duty to intervene with penalties).

Attorney Jefferson made the motion to strike Recommendation 6, seconded by Director Scippa. A roll call vote was taken on the recommendation and the votes were recorded as follows:

Deputy Attorney General Jane Young – Y
Commissioner Robert Quinn – Y
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – Y
President James McKim – Y
Justice Sawako Gardner – absent
Lt. Mark Morrison – Y
Chief Charlie Dennis – Y
Director Ken Norton – N
Mr. Joseph Lascaze – N
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – N

Motion carries, Recommendation 6 has been stricken.

Refer to Section 3, Recommendation 6 (encourage law enforcement to use dash and/or body cams)

Joseph Lascaze made the motion to adopt Recommendation 6 as written, seconded by Deputy Attorney General Young. A roll call vote was taken on the recommendation and the votes were recorded as follows:

Deputy Attorney General Jane Young – Y
Commissioner Robert Quinn – Y
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – Y
President James McKim – Y
Justice Sawako Gardner – Y
Lt. Mark Morrison – Y
Chief Charlie Dennis – Y
Director Ken Norton – Y
Mr. Joseph Lascaze – Y
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – Y

(A second vote was taken following the addition of “or” and votes were recorded as the same).
Motion carries, Recommendation 6 has been adopted.

Refer to Section 3, Recommendation 6 (encourage law enforcement to use dash and/or body cams)

Judge Gardner made the motion to strike Recommendation 7 (discuss official immunity), seconded by Eddie Edwards. A roll call vote was taken on the recommendation and the votes were recorded as follows:

Deputy Attorney General Jane Young – Y
Commissioner Robert Quinn – Y
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – Y
President James McKim – Y
Justice Sawako Gardner – Y
Lt. Mark Morrison – Y
Chief Charlie Dennis – Y
Director Ken Norton – Y
Mr. Joseph Lascaze – N
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – N

Motion carries, Recommendation 7 has been stricken.

Refer to Section 3, new Recommendation 7, Subsection A, Numbers 1 and 2 (Publicize EES).

Commissioner Quinn made the motion to strike Recommendation 7, seconded by Director Scippa. A roll call vote was taken on the recommendation and the votes were recorded as follows:

Deputy Attorney General Jane Young – Y
Commissioner Robert Quinn – Y
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – Y
President James McKim – Y
Justice Sawako Gardner – Y
Lt. Mark Morrison – Y
Chief Charlie Dennis – Y
Director Ken Norton – Y
Mr. Joseph Lascaze – Y
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – Y

Motion carries, Recommendation 7 has been adopted.

The Commission will take public testimony on Friday, August 28th, 2020 starting at 1pm. Tomorrow the Commission will address the remaining recommendations pertaining to police misconduct and then any other recommendations.

The Deputy Attorney General requested a motion to adjourn. So moved by Mr. Joseph Lascaze and seconded by Eddie Edwards. A roll call vote was taken on the motion to adjourn and the votes were recorded as follows:

Deputy Attorney General Jane Young – Y
Commissioner Robert Quinn – Y
Director Ahni Malachi – Y
Director John Scippa – Y
Chairman Rogers Johnson – Y
President James McKim – Y
Justice Sawako Gardner – Y
Lt. Mark Morrison – Y
Chief Charlie Dennis – absent

Director Ken Norton – Y
Mr. Joseph Lascaze – Y
Attorney Julian Jefferson – Y
Mr. Eddie Edwards – Y
Ms. Ronelle Tshiela – Y

The meeting was adjourned at 2:06 p.m.

DRAFT